

ATTACHMENT 1

COMPLAINT FORM

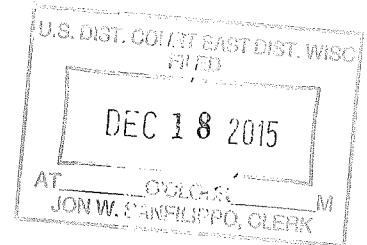
(for filers who are prisoners without lawyers)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

~~Kevin B. Mitchell~~

Kevin Brian Mitchell



v.

Case Number:

15-C-1520

(Full name of defendant(s))

Sheboygan County Detention Center

1
3
1

Advanced Correctional Healthcare

(to be supplied by Clerk of Court)

A. PARTIES

1. Plaintiff is a citizen of Wisconsin, and is located at
(State)

2923 South 31st street Sheboygan, Wisconsin 53081
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

Full Name of Defendants

Sergeant Mark Richter

Sergeant Fenn

Sergeant Adams

Correctional Officer Hansen

Correctional Officer Johnson

Correctional Officer Iverson

Correctional Officer Keruger

Sergeant Wing

Deputy Walter

Dr. Karen Butler

Nurse Tracy

Nurse Brenda

Nurse Lisa

Nurse Nick

Captain Brinkman

2. Defendant Sergeant Mark Richter (Name)
is (if a person or private corporation) a citizen of Wisconsin (State, if known)
and (if a person) resides at _____ (Address, if known)
and (if the defendant harmed you while doing the defendant's job)
worked for Sheboygan County Detention Center 2923 S. 31st Sheboygan, WI
Advanced Correctional Healthcare (Employer's name and address, if known) 53081

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

15-C-1520

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 8-29-15 at approximately 9:48 pm Kevin Mitchell was in the law library reading law books regarding his case. He was later directed by Correctional Officer Hansen (over the intercom) to return to his pod. While Kevin Mitchell was returning to his pod Sergeant Richter exited the control room and ~~demanded~~ redirected Kevin Mitchell to segregation. Kevin Mitchell was escorted to segregation by Sergeant Richter and Correctional Officer Iverson. Upon arrival to segregation Sergeant Richter opened cell #2 and ordered Kevin Mitchell to lie down. Kevin Mitchell immediately noticed that there wasn't any bedding, and requested for a mat. Sergeant Richter ~~denied~~ denied his request and demanded Kevin Mitchell to enter cell #2 and lie down (on concrete/without bedding) Kevin Mitchell complied, but as he began walking inside cell #2 Sergeant Richter ~~aggressively~~ aggressively shoves (punches) Kevin Mitchell in the middle of his back (throwing him in the cell) ~~re-injuring~~ re-injuring his legs, lower back, and causing his head to snap back so hard his neck pops while he saying, "Fucking Nigger Get Your Ass In There". Because of severe pain Kevin Mitchell pressed the intercom button and requested for an ambulance, but he was denied by C.O. Hansen. Kevin Mitchell then requested for the ~~on duty~~ "on duty call" doctor, and nurse, but he was also denied by C.O. Iverson, and C.O. Johnson. Kevin Mitchell seeks damages from Sergeant Richter, C.O. Hansen, C.O. Iverson, and C.O. Johnson for cruel and unusual punishment, medical neglect, deliberate indifference, and compensation for emotional distress.

There was another inmate in segregation who witness this entire incident. His name is Donald Polk

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 9-16-15 he was sent to pod W which is segregation for following Dr. Butler's orders which was to keep a warm towel (compress) around his neck due to severe pain that he was enduring because of an assault that was done by Sergeant Richter. On 9-17-15 at approximately 7:45am Kevin Mitchell was awoken to take his prescribed medication that assists with pain. ~~OF~~ Correctional Officer Keruger was ~~handing~~ handing out medication, and he did not give Kevin Mitchell his medication because he gave it to another inmate Jasper Pigge who was in cell #2. Pigge wasn't aware that he took medication that wasn't prescribed to him until he had already ingested the pills. ~~Kevin Mitchell then told C.O. Keruger that he's suffering from great pain and needs to take his medication. C.O. Keruger says he will correct his mistake and will bring Kevin Mitchell his medication. C.O. Keruger does his routinely rounds to pod W every hour, and has done several rounds after stating that he will bring Kevin Mitchell his medication. C.O. Keruger never brought Kevin Mitchell his medication. The plaintiff Kevin Mitchell seeks damages from C.O. Keruger for cruel, and unusual punishment, deliberate indifference, and compensation for medical neglect.~~ Kevin Mitchell then told C.O. Keruger that he's suffering from great pain and needs to take his medication. C.O. Keruger says he will correct his mistake and will bring Kevin Mitchell his medication. C.O. Keruger does his routinely rounds to pod W every hour, and has done several rounds after stating that he will bring Kevin Mitchell his medication. C.O. Keruger never brought Kevin Mitchell his medication. The plaintiff Kevin Mitchell seeks damages from C.O. Keruger for cruel, and unusual punishment, deliberate indifference, and compensation for medical neglect.

The ~~plain~~ plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 9-19-15 Sergeant Wing entered pod w to give Kevin Mitchell a hearing regarding a major ticket violation that he was contesting. The basis of the hearing was why Kevin Mitchell feel he shouldn't have received a violation for wear a towel around his neck because it was an order given to him by Dr. Butler. After 10 minutes of debat Sergeant Wing stated to Kevin Mitchell that he is using Dr. Butler order as an excuse ~~and~~ and is ignorant. Sergeant Wing then sentenced Kevin Mitchell the maximum allowed sentence in segregation. Kevin Mitchell seeks damages for the time he spent in segregation and compensation for emotional distress

● The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 9-22-15 at approximately 4:35 am he went to meet with Dr. Butler in her office, and was accompanied by Sergeant Adams. Kevin Mitchell immediately began to describe his injuries, pain, and suffering to Dr. Butler, but she was very persistent in not allowing Kevin Mitchell to complete or fully describe his ~~injury~~ reason for seeing her when he began to tell her about the pain he has in his legs, back, and neck. Dr. Butler then told Kevin Mitchell not to worry about his legs or back and to only concentrate on his neck which forced him to neglect ~~the~~ the pain in his legs and back. Dr. Butler also told Kevin Mitchell to continue to place (wrap) a warm towel around his neck. Kevin ~~Mitchell~~ Mitchell told Dr. Butler that he is currently in segregation (con) for ~~following~~ having a towel around his neck. Kevin Mitchell then requested to Dr. Butler to give him that order in writing. Sergeant Adams suddenly says, "Dr. Butler isn't going to give it to you in writing." Kevin Mitchell replies, "correctional officers are requesting that order in writing." Dr. Butler then says to Kevin Mitchell ~~only~~ to keep a warm towel around your neck only if the correctional officers allow it. Kevin Mitchell then tells Dr. Butler that her statement implies that his medical condition is not her main concern, and that he's being punished for following Dr. Butler's order which is making him afraid to place a towel around his neck which has caused the pain in his neck to spread to his upper back and crawl toward his upper shoulder which is giving him headaches that introducing blurred vision. Sergeant Adams then grabs Kevin Mitchell by his arm (under his injured shoulder) and pulls him out of Dr. Butler's office while saying, "that's enough now let's go." Kevin Mitchell seeks damages for cruel and unusual punishment, medical neglect, deliberate indifference, and compensation for emotional distress.

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 10-28-15 he submitted an inmate complaint form to Captain Brinkman to inform him that he has been submitting medical request forms to see Dr. Butler regarding severe pain that he has been enduring that was caused by an assault that was done by Sergeant Richter for ~~several~~ several weeks. Kevin Mitchell has not received a response from his medical request forms to see Dr. Butler since 9-25-15. The medical request forms that Kevin Mitchell has submitted explains in detail about his detail about his present injury, and pain regarding his legs, back, and neck. Kevin Mitchell has questioned A.C.H. "Advanced Correctional Healthcare" (Nurse Tracy, Nurse Brenda, Nurse Lisa, Nurse Sue, and Nurse Nick) about his medical request form response, and he was informed by A.C.H. that they have been directed by their supervisor to submit all of Kevin Mitchell medical request forms to Captain Brinkman. Being denied medical attention has caused Kevin Mitchell's pain to increase, and continue. This situation has caused psychological damage, and Kevin Mitchell is speaking with Mental Health to help resolve that situation. Kevin Mitchell seeks damages from A.C.H. (Advance Correctional Healthcare) and Captain Brinkman for cruel and unusual punishment, medical neglect, deliberate indifference, and compensation for emotional distress.

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan Wisconsin. On 10-25-15 he submitted an inmate complaint form acknowledging that he has submitted many medical forms with the request to see Dr. Butler. As a result Kevin Mitchell was seen by Dr. Butler twice and was given ~~medication~~ tylenol, and flexerol for a total of 3 days, and an order ~~for~~ to keep a warm towel (compress) around his neck that which was the reason why he was continuously being punished for, by being sent to segregation. Kevin Mitchell's pain increased due to lack of treatment which was why he continued submitting medical request forms. On several occasions Kevin Mitchell complained to A.C.H. "Advanced Correctional Healthcare" (Nurse Tracy, Nurse Lisa, Nurse Brenda, Nurse Sue, and Nurse Nick) about his pain and suffering and he was told by Nurse Lisa, and Nurse Tracy that Dr. Butler will not see him. Nurse Tracy denied me several doctor visits by indicating on a medical request form that Dr. Butler is already aware of your medical condition. Being denied medical attention has caused Kevin Mitchell's pain to worsen. Kevin Mitchell complains of having sharp, throbbing, and chronic pain in his lower back which is the reason why he is unable to sit or stand in one position for more than a short period of time. Also extreme sharp pain in both knees with intense numbing, needling prickling, and throbbing pain in both legs. Re-occurring sharp, throbbing pain in his neck which is spreading to his upper back, and is causing severe headaches that's introducing blurred vision. Kevin Mitchell seeks damages from A.C.H. (Advance Correctional Healthcare) for medical neglect, deliberate indifference, cruel and unusual punishment, and compensation for emotional distress.

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center, in Sheboygan, Wisconsin. On October 26th 2015 he was at the courthouse in a holding cell waiting for his scheduled court appearance. Approximately at 4:15 pm his name was called to be taken to court (Branch 3). Deputy Walter was assigned to escort him to court. Deputy Walter, and Kevin Mitchell entered an elevator to ~~move~~ move toward branch 3, but while in the elevator Kevin Mitchell informed Deputy Walter that he's having severe pain in his neck, back, and legs. Deputy Walter immediately looked toward the camera and signaled for the elevator to return to our previous floor. Upon arrival ~~of~~ on our ~~previous~~ previous floor Deputy Walter, and Kevin Mitchell was met by Sergeant Fenn. Sergeant Fenn asked Deputy Walter if he needed assistance. Deputy Walter informed him that Kevin Mitchell is complaining about suffering from severe pain and he may be ~~needing~~ needing medical assistance. Sergeant Fenn then asks Kevin Mitchell if this was the same pain that he has been complaining about for at least a month or so. Kevin Mitchell says yes and also indicates ~~that~~ that his injury is worse, and his pain has increased. Sergeant Fenn then tells Deputy Walter that Kevin Mitchell is not hurt, and is O.K. and just take him to court. Deputy Walter then continued to escort Kevin Mitchell to court. The plaintiff Kevin Mitchell seeks damages from Sergeant Fenn, and Deputy Walter for cruel, and unusual punishment, deliberate indifference, and compensation for medical neglect.

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On ~~November~~ 11-3-15 he was sitting under the stairs watching television in pod P. At approximately 8:00pm Officer Hansen walked into pod P to do her ~~rounds~~ routinely rounds. Kevin Mitchell informed Officer Hansen that he was in great pain and may be needing medical assistance. Officer Hansen then looked at another inmate (Ricardo Hibbler) and asked him if Kevin have been complaining about being in pain. Ricardo Hibbler told Officer Hansen that Kevin have been complaining about being in pain all day and he needs medical attention. Officer Hansen then spoke to another inmate about an unrelated matter and then exited P pod. Officer Hansen did not attend to Kevin's medical needs or show any concern toward Kevin Mitchell. Kevin Mitchell seeks damages for medical neglect, deliberate indifference, and compensation for emotional distress.

The plaintiff Kevin Mitchell is an inmate at the Sheboygan County Detention Center in Sheboygan, Wisconsin. On 11-28-15 he submitted an inmate complaint form to Captain Brinkman to inform him that he has been submitting medical request forms to see Dr. Butler regarding severe pain that he's been enduring that was caused by an assault that was done by Sergeant Richter for nearly ~~several months~~ several months. Kevin Mitchell has not received a response from his medical request forms to see Dr. Butler since 9-25-15. The ~~medical~~ medical request forms that Kevin Mitchell has submitted explains in detail about his present injury, and pain regarding his leg, back, and neck. Kevin Mitchell has questioned A.C.H. "Advanced Correctional Healthcare" (Nurse Tracy, Nurse Brenda, Nurse Lisa, Nurse Sue, and Nurse Nick) about his medical request form response and he was informed by A.C.H. that they have been directed by their supervisor to submit all of Kevin Mitchell medical request forms to Captain Brinkman. Being denied medical attention has cause Kevin Mitchell's pain to increase, and continue. This situation has cause psychological damage, and Kevin Mitchell is speaking with Mental Health to help resolve that situation. Kevin Mitchell seeks damages from A.C.H. (Advance Correctional Healthcare) and Captain Brinkman for cruel and unusual punishment, medical neglect, deliberate indifference, and compensation for emotional distress

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C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

The plaintiff Kevin Mitchell request that the court grants him damages for cruel and unusual punishment, medical neglect, deliberate indifference, and compensation for physical and emotional distress \$80,000

The plaintiff Kevin Mitchell request that the court reproves the defendants and hold them accountable for their actions.

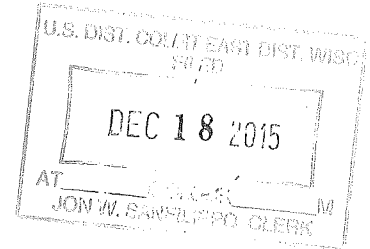
E. JURY DEMAND

15-C-1520

☒ Jury Demand – I want a jury to hear my case.

OR

☐ Court Trial – I want a judge to hear my case.



I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 14th day of December 20 15.

Respectfully Submitted,

K.B.M.

Signature of Plaintiff

45270

Plaintiff's Prisoner ID Number

2923 South 31st street Sheboygan Wisconsin 53081
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I DO request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I DO NOT request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.